

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In re:

BSC DEVELOPMENT BUF LLC,

Debtor.

Involuntary Chapter 11
Case No. 09-11550
Hon. Carl L. Bucki, U.S.B.J.

**ORDER GRANTING THE SALE AT AUCTION OF SUBSTANTIALLY ALL OF THE
DEBTOR'S PERSONAL PROPERTY FREE AND CLEAR OF LIENS, CLAIMS AND
ENCUMBRANCES**

Upon the motion of the Chapter 11 Trustee, Morris L. Horwitz, (the "Trustee") by and through his counsel, Hodgson Russ, LLP, pursuant to sections 105(a) and 363 of title 11 of the United States Code (the "Bankruptcy Code") and Rule 6004 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), for the entry of an order authorizing the sale at auction of substantially all of the Personal Property of the Debtor free and clear of liens, claims and encumbrances ("Motion"), the Court, having jurisdiction to consider the relief requested therein in accordance with 28 U.S.C. Section 1334(b), and after due deliberation and sufficient cause appearing therefore,

IT IS HEREBY ORDERED that the Trustee is authorized to sell substantially all of the Personal Property of the Debtor at auction, free and clear of liens, claims, encumbrances and interests;

As IDENTIFIED ON The ATTACHED exhibit "A"

IT IS FURTHER ORDERED that the auction of the Personal Property will be held on Saturday, May 1, 2010 ("Auction Date") at 10:00 am (prevailing Eastern Time) at Cash Realty & Auction LLC's ("Cash Realty") auction facility located at 1295 Main Street, Buffalo, New York 14209;

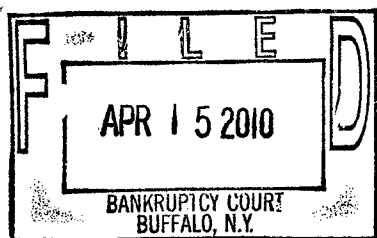
IT IS FURTHER ORDERED that service of the Notice and Motion upon all parties as listed within the Motion and according to Bankruptcy Rules 2002 and 6004 is sufficient notice of the Motion and the Auction Date and location; and

IT IS FURTHER ORDERED that once the hammer is struck for each item or lot sold at the auction, the sale is final and no further court approval is necessary.

Dated: Buffalo, New York
April 15, 2010



HONORABLE. CARL L. BUCKI
UNITED STATES BANKRUPTCY JUDGE



"Exhibit A"

Sample List of Personal Property in Statler:

Kubota K00 8-3Mini Excavator

Toyota 7FGU25 4500LB Forklift

Grove SM4688XT Gas Scissor Lift

Kobalt 60 Gallon Compressor

Handy Gas Buggy

Indoor Propane Concrete Cutter

Billjax Trash Removal Chute

2 Pallets of Bath, Floor & Wall Tile

Roll of Lobby Rug

Dry Wall Stands

2 Pallet Jacks

3 Sections of Bakers Scaffold

2 Sections of Regular Scaffold

2 Complete Sets of Outside Roof Top Scaffold

3 Drieaz Hepa 500 Air Scrubbers

2 Pallets of Paint

Lot of Hand Tools

Pallet of Caulk

Pallet of Bathroom Sink Faucets & Tub Parts

One Inwall A/C Heat Unit

Shop Vacs & Water Coolers

Electric Cable Winch

3 Power Washers

Gas Caddy

5 Folding Ladders

Air Chisel

300 Boxes of 24" x 24" Tile

Kobalt Upright Air Compressor 14 Crates of 31.5 x 31.5 Marble Tile Floor

12 Crates of Stair Kick Plates